

Atty's 21437

Pat. App. 09/529,043

1 85. (new) The isolated pyruvate carboxylase polypeptide
2 of claim 82, wherein the pyruvate carboxylase polypeptide comprises
3 an amino acid sequence at least 95% identical to the amino acid
4 sequence of the pyruvate carboxylase polypeptide having the amino
5 acid sequence encoded by the clone obtained in ATCC Deposit No.
6 PTA-982.

1 86. (new) The isolated pyruvate carboxylase polypeptide
2 of claim 82 comprising the amino acid sequence encoded by the clone
3 obtained in ATCC Deposit No. PTA-982.

REMARKS

Applicants are submitting this supplemental amendment in order to copy the claims of U.S. Patent 6,403,351 for the purpose of interference. New claims 82 through 86 correspond to claims 1 through 5 of U.S. Patent 6,403,351. Antecedent basis for new claims 82 through 86 may be found in Applicants' original specification on pages 5 through 9, the specific examples, and in SEQ ID NO: 2. It is noted that the polynucleotide having SEQ ID NO:1 in both the instant application and in U.S. Patent 6,403,351 is the identical polynucleotide and that the polypeptide having SEQ ID NO: 2 in both the instant application and in U.S. Patent 6,403,351 is the identical polypeptide. Furthermore the clone contained in ATCC Deposit No. PTA 982 and encoding the polypeptide of SEQ ID NO: 2 as disclosed in U.S. Patent 6,403,351 has the same polynucleotide


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sequence as that of SEQ ID No: 1 appearing in both the instant application and in U.S. Patent 6,403,351.

It is respectfully requested that the Examiner read new claims 82 through 86 against the claims of U.S. Patent 6,403,351 and that one or more counts be added to the interference to reflect the subject matter of the polypeptide of SEQ ID NO: 2.

Respectfully submitted,
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